

OFFICE OF THE CHIEF COUNSEL
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.
PRINCIPLE PRACTICE AREAS FOR THE
SUMMER 2009 UNPAID INTERNSHIP POSITIONS

Litigation Division

This division is responsible for litigation relating to aircraft accidents and tort claims against the agency. The legal intern assigned to this division will assist with legal and factual research; draft Federal court motions and memoranda of law; prepare litigation reports and assist in claims analysis; draft discovery documents; and assist in compiling discovery responses. Technical experience preferred, but not required: aviation background, pilot experience, or aeronautical engineer.

Enforcement Division

This division handles enforcement actions from case initiation through the administrative hearing and appellate phases and, when necessary, handles the appeal to the U.S. courts of appeals under delegation from the Department of Justice. This division is also responsible for the development of legal enforcement policy. The intern assigned to this division will have responsibility for cases involving enforcement of various aviation regulations, which could include cases concerning airman medical certification, hazardous materials, drug and alcohol testing, and flight rules. The intern's duties will include: reviewing case files for sufficiency of the evidence and drafting enforcement actions; conducting legal research as needed; and drafting correspondence concerning cases. The intern's duties may also include the following matters: drafting legal memoranda, assisting in the preparation of motions, answers, and appellate briefs; assisting in the preparation of congressional correspondence concerning enforcement cases; assisting in the preparation of responses to Freedom of Information Act requests regarding enforcement cases; and miscellaneous research assignments. Technical experience required: none.

Regulations Division

This division is responsible for developing, reviewing, and interpreting aviation regulations for the agency. The subject matter areas of this division include: airworthiness, operations, airspace, air traffic, aircraft and airman certification, aviation safety, environmental, aerospace medical, commercial space launch licensing, and industry drug and alcohol testing. The legal intern will assist in some of the following assignments: develop and review regulatory documents; write interpretations of regulations; research to support regulatory issues and litigation; review and summarize public comments to pending rulemakings; and support public rulemaking procedures, as appropriate. Technical experience required: none.

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Acquisition and Commercial Law Division

This division is responsible for providing legal support in all areas of acquisition for the agency. Contract values often exceed \$100 million. The legal intern assigned to this division can expect to work on a variety of legal issues relating to contract formation and post-award performance; including assistance in document review, research, and attendance at meetings. Because of the nature of the acquisitions the intern can expect to not only get involved with the typical Government contract issues but may also be called upon to provide input into issues regarding data rights, fiscal law, real estate, environmental, as well as other issues including but not limited to acquisition policy. The intern may also assist in the litigation of contract claims and protests before courts and administrative bodies. Technical experience required: none.

Airports and Environmental Law Division

The intern assigned to this division will work in the Environmental Law Branch. The legal intern's work may include: preparation and review of environmental assessments and environmental impact statements in accordance with the National Environmental Policy Act and other environmental laws (Historic Properties, Endangered Species, Clean Water, Clean Air, etc.); review of airport noise compatibility programs; interpretation and enforcement of requirements applicable to airport noise and access restrictions under the Airport Noise and Capacity Act; advice concerning agency compliance with hazardous waste laws (Comprehensive Environmental Response, Compensation, and Liability Act, Community Environmental Response Facility Act (CERFA), Toxic Substance Act, Resource Conservation and Recovery Act, etc.), and closure of military bases. Technical experience preferred: environmental law, administrative law, biology or environmental sciences.

Personnel and Labor Law Staff

The attorneys of the Personnel and Labor Law Staff serve as employment and labor law advisors to various management officials and on various special projects. The attorneys research and answer questions involving the legality of personnel actions proposed or taken by management, specifically disciplinary actions involving reprimand, suspensions, demotions, and discharge; conduct hearings in personnel cases before the Merit Systems Protection Board, and the Equal Employment Opportunity Commission; manage and coordinate case litigation with the Department of Justice by writing litigation reports, motions, briefs, conducting discovery, interviewing and preparing witnesses, and serving as co-counsel at trials. The Staff's labor attorneys review union negotiation proposals and agreements and provide advice to management on a variety of union issues. The intern will work closely with the attorney advisors on a multitude of employment law issues. Significant time will be spent assisting the attorneys with discovery, witness interviews,

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hearings before the Equal Employment Opportunity Commission, Merits Systems Protection Board, and various Federal Courts. The legal intern will perform research, prepare memoranda, draft and respond to discovery, and accompany attorneys to meetings. Technical experience required: none.

General Legal Services Staff and Ethics Staff

Interns assigned to this position will be shared by two staffs responsible for a wide array of legal work. The legal intern assigned to these two staffs can expect to work on a variety of legal issues relating to: interpretations of Federal aviation laws, Federal ethics laws, Federal Freedom of Information Act (FOIA) laws, Federal Privacy Act laws, interagency relationships, internal administration of the agency, federal-state relationships, and other Federal legal issues. The intern can expect to assist in the review of information withheld from release under FOIA and/or the Privacy Act, research and writing of FOIA and Privacy Act appeals, ethics research and interpretation, research and interpretation of miscellaneous legal issues not fitting within the subject matter jurisdiction of other divisions within the office of the Chief Counsel. The intern may also assist in the litigation of FOIA and Privacy Act matters. Technical experience preferred: previous government experience, information law or ethics work.

The Office of Dispute Resolution for Acquisition Staff.

The Office of Dispute Resolution for Acquisition (ODRA) was formed in 1996 as an independent office within the FAA's Office of the Chief Counsel. Pursuant to Section 224 of Public Law No. 108-176, the "Vision 100 -- Century of Aviation Reauthorization Act," a series of delegations from the FAA Administrator, and the ODRA's Procedural Regulations, the ODRA is charged with responsibility for resolving all protests and contract disputes arising out of procurements and contracts entered into under the FAA's Acquisition Management System (AMS). The ODRA also has been delegated responsibility for resolving contests involving agency actions associated with the FAA's adaptation of Office of Management and Budget (OMB) Circular A-76, which pertains to competitive sourcing of "commercial activities" under the FAIR Act, 31 U.S.C. §501. The ODRA process utilizes consensual alternative dispute resolution (ADR) to the maximum extent practicable to resolve the vast majority of acquisition related disputes and protests. Those disputes that cannot be resolved through ADR are decided through the ODRA's administrative adjudication process. The intern will work closely with the ODRA Director and Dispute Resolution Officers on a variety of procurement and ADR issues. The legal intern will perform legal research, prepare memoranda, participate in mediation and other ADR-related activities, and actively participate in all aspects of the ODRA's work. Technical experience preferred: some familiarity with Microsoft Office software. More information about the ODRA can be found on its website at: odra.faa.gov.

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Alternative Dispute Resolution Staff

The Alternative Dispute Resolution Staff develops and issues FAA alternative dispute resolution (ADR) guidance, provides training to FAA personnel in all aspects of ADR, and also works closely with FAA program offices that are charged with managing specific ADR programs and initiatives. Interns assigned to this staff will assist in implementing the provisions of the Administrative Dispute Resolution Act of 1996; developing agency ADR policy; increasing the understanding and use of ADR techniques within the FAA; and providing guidance and support to ADR program managers, ADR coordinators, neutrals, and others involved in ADR and conflict management. In addition, interns assigned to this staff will assist in advising senior FAA officials on dispute resolution issues and coordinating with the Department of Transportation to ensure that the agency fulfills all legislative and executive mandates concerning the use of alternative dispute resolution techniques. The interns may also be asked to assist with training and presentations, conduct program evaluations and assessments, assist in marketing programs and activities, observe mediations (where feasible), work with the ADR resource center, and perform other functions related to ADR and conflict management. Technical experience required: none